

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

ALAN WILLIAMS,

Defendant.

**SEALED INFORMATION**

S1 22 Cr. 675 (PGG)

**COUNT ONE**  
**(Conspiracy to Commit Securities Fraud)**

The United States Attorney charges:

1. From at least in or about 2016, up to and including at least in or about December 2022, in the Southern District of New York and elsewhere, ALAN WILLIAMS, the defendant, and others known and unknown, willfully and knowingly did combine, conspire, confederate, and agree together and with each other to commit offenses against the United States, to wit, (i) securities fraud, in violation of Title 15, United States Code, Sections 78j(b) and 78ff, and Title 17, Code of Federal Regulations, Section 240.10b-5; and (ii) wire fraud, in violation of Title 18, United States Code, Section 1343.

2. It was a part and object of the conspiracy that ALAN WILLIAMS, the defendant, and others known and unknown, willfully and knowingly, directly and indirectly, by use of a means and instrumentality of interstate commerce and of the mails, and a facility of a national securities exchange, would and did use and employ, in connection with the purchase and sale of a security, a manipulative and deceptive device and contrivance, in violation of Title 17, Code of Federal Regulation, Section 240.10b-5 by: (a) employing a device, scheme, and artifice to defraud; (b) making an untrue statement of a material fact and omitting to state a material fact necessary in order to make the statements made, in light of the circumstances under which they were made, not

misleading; and (c) engaging in an act, practice, and course of business which operated and would operate as a fraud and deceit upon a person, in violation of Title 15, United States Code, Section 78j(b) and 78ff.

3. It was further a part and an object of the conspiracy that ALAN WILLIAMS, the defendant, and others known and unknown, knowingly having devised and intending to devise a scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises, would and did transmit and cause to be transmitted by means of wire, radio, and television communication in interstate and foreign commerce, writings, signs, signals, pictures, and sounds for the purpose of executing such scheme and artifice, in violation of Title 18, United States Code, Section 1343.

4. In furtherance of the conspiracy and to effect its illegal objects, the following overt act, among others, was committed in the Southern District of New York and elsewhere: on or about June 8, 2020, ALAN WILLIAMS, the defendant, engaged in timely, profitable trading in shares of a particular security after receiving confidential trade information about that security from a co-conspirator ("CC-1").

(Title 18, United States Code, Section 371.)

**COUNT TWO**  
**(Securities Fraud)**

The United States Attorney further charges:

5. The allegations contained in Paragraph 4 of this Information are repeated and realleged as if fully set forth herein.

6. From at least in or about 2016 through in or about December 2022, in the Southern District of New York and elsewhere, ALAN WILLIAMS, the defendant, willfully and knowingly, directly and indirectly, by use of a means and instrumentality of interstate commerce and of the

mails, and a facility of a national securities exchange, used and employed, in connection with the purchase and sale of a security, a manipulative and deceptive device and contrivance, in violation of Title 17, Code of Federal Regulation, Section 240.10b-5 by: (a) employing a device, scheme, and artifice to defraud; (b) making an untrue statement of a material fact and omitting to state a material fact necessary in order to make the statements made, in light of the circumstances under which they were made, not misleading; and (c) engaging in an act, practice, and course of business which operated and would operate as a fraud and deceit upon a person, to wit, CC-1 fraudulently misappropriated confidential information his employer about his employer's confidential securities trade orders and trading activity, and shared that information with WILLIAMS to enable WILLIAMS to place timely, profitable securities trades based on that information.

(Title 15, United States Code, Sections 78j(b) & 78ff; Title 17, Code of Federal Regulations, Sections 240.10b-5, 240.10b5-1, and 240.10b5-2; and Title 18, United States Code, Section 2.)

**COUNT THREE**  
(Wire Fraud)

The United States Attorney further charges:

7. The allegations contained in Paragraph 4 of this Information are repeated and realleged as if fully set forth herein.

8. From at least in or about 2016 through in or about the present, in the Southern District of New York and elsewhere, ALAN WILLIAMS, the defendant, knowingly having devised and intending to devise a scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations and promises, transmitted and caused to be transmitted by means of wire, radio, and television communication in interstate and foreign commerce, writings, signs, signals, pictures, and sounds for the purpose of executing such scheme and artifice, to wit, CC-1 misappropriated confidential information from CC-1's employer

about confidential securities trade orders and trading activity, shared that information with WILLIAMS, and WILLIAMS then placed timely, profitable securities trades based on that information, which scheme involved the use of interstate wires.

(Title 18, United States Code, Sections 1343 and 2.)

**COUNT FOUR**

(Conspiracy to Commit Bank Fraud)

The United States Attorney further charges:

9. The allegations contained in Paragraph 4 of this Information are repeated and realleged as if fully set forth herein.

10. From at least in or about 2016, up to and including in or about December 2022, in the Southern District of New York, the District of Oregon, and elsewhere, ALAN WILLIAMS, the defendant, and others known and unknown, willfully and knowingly did combine, conspire, confederate, and agree together and with each other to commit bank fraud, in violation of Title 18, United States Code, Section 1344.

11. It was a part and object of the conspiracy that ALAN WILLIAMS, the defendant, and others known and unknown, knowingly would and did execute, and attempt to execute, a scheme and artifice to defraud a financial institution, as that term is defined in Title 18, United States Code, Section 20, and to obtain the moneys, funds, credits, assets, securities, and other property owned by, and under the custody and control of, a financial institution, the deposits of which were then insured by the Federal Deposit Insurance Corporation, by means of false and fraudulent pretenses, representations, and promises, in violation of Title 18, United States Code, Section 1344, to wit, CC-1 and WILLIAMS agreed to and did falsely represent to financial

institutions the source of certain funds deposited with those institutions so that they would accept the deposits.

(Title 18, United States Code, Section 1349.)

**FORFEITURE ALLEGATIONS**

12. As a result of committing one or more of the offenses charged in Counts One through Three of this Information, ALAN WILLIAMS, the defendant, shall forfeit to the United States, pursuant to Title 18, United States Code, Sections 981(a)(1)(C) and Title 28, United States Code, Section 2461, all property, real and personal, that constitutes or is derived from proceeds traceable to the commission of the offenses alleged in Counts One through Four, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of said offenses that the defendant personally obtained.

13. As a result of committing the offense alleged in Count Four of this Information, ALAN WILLIAMS, the defendant, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 982(a)(2)(A), any and all property constituting, or derived from, proceeds the defendant obtained directly or indirectly, as a result of the commission of said offense, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of said offense.

**Substitute Assets Provision**

14. If any of the above-described forfeitable property, as a result of any act or omission by the defendant:

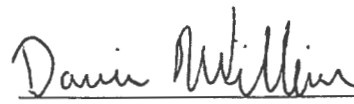
- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;

d. has been substantially diminished in value; or

e. has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), and Title 28, United States Code Section 2461, to seek forfeiture of any other property of the defendant up to the value of the forfeitable property described above.

(Title 18, United States Code, Sections 981(a)(1)(C); Title 21, United States Code, Section 853(p); Title 28, United States Code, Section 2461.)

  
DAMIAN WILLIAMS  
United States Attorney